

COOLEY LLP
Stephen C. Neal (170085)
(nealsc@cooley.com)
Michelle S. Rhyu, PH.D. (212922)
(rhyums@cooley.com)
Bryan J. Boyle (253725)
(bryan.boyle@cooley.com)
Daniel J. Knauss (267414)
(dknauss@cooley.com)
Five Palo Alto Square
3000 El Camino Real
Palo Alto, CA 94306-2155
Telephone: (650) 843-5000
Facsimile: (650) 857-0663

COOLEY LLP
Martin S. Schenker (109828)
(mschenker@cooley.com)
Benjamin H. Kleine (257225)
(bkleine@cooley.com)
101 California Street, 5th Floor
San Francisco, CA 94111-5800
Telephone: (415) 693-2000
Facsimile: (415) 693-2222

Attorneys for Plaintiff
ONYX PHARMACEUTICALS, INC.

MORRISON & FOERSTER LLP
Alison M. Tucher (171363)
(atucher@mofo.com)
Amy C. Dachtler (248589)
(adachtler@mofo.com)
425 Market Street
San Francisco, CA 94105-2482
Tel: (415) 268-7000
Fax: (415) 268 7522

BARTLIT BECK HERMAN PALENCHAR
& SCOTT LLP
Philip S. Beck (admitted pro hac vice)
(philip.beck@bartlit-beck.com)
Mark Levine (admitted pro hac vice)
(mark.levine@bartlit-beck.com)
Jason L. Peltz (admitted pro hac vice)
(jason.peltz@bartlit-beck.com)
James B. Heaton, III (admitted pro hac vice)
(jb.heaton@bartlit-beck.com)
Brian C. Swanson (admitted pro hac vice)
(brian.swanson@bartlit-beck.com)
J. Scott McBride (admitted pro hac vice)
(scott.mcbride@bartlit-beck.com)
54 West Hubbard Street, Suite 300
Chicago, IL 60654
Tel: (312) 494-4400
Fax: (312) 494-4440

Attorneys for Defendants BAYER
CORPORATION; BAYER HEALTHCARE
LLC; BAYER AG; BAYER SCHERING
PHARMA AG

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ONYX PHARMACEUTICALS, INC.,

Plaintiff,

v.

BAYER CORPORATION, BAYER AG,
BAYER HEALTHCARE LLC, AND
BAYER SCHERING PHARMA AG,

Defendants.

Case No. C 09-2145 (EMC)

**STIPULATION AND [PROPOSED]
ORDER CONTINUING CASE
MANAGEMENT CONFERENCE**

Case Mgt. Conf: June 22, 2011, 1:30 p.m.
Hon. Edward M. Chen
Courtroom 5

WHEREAS, on June 17, 2011, the Court issued an order setting a Case Management Conference for June 22, 2011 at 1:30 p.m.

WHEREAS, lead counsel for defendants are unavailable due to scheduling conflicts on June 22, 2011;

WHEREAS , counsel for both parties are available on the morning of June 24, 2011 for a Case Management Conference, and respectfully request that the Court reschedule the conference for that date;

WHEREAS , the Court's Courtroom Deputy has confirmed the Court's availability for the Case Management Conference on June 24, 2011 at 10:30 a.m. and has asked the parties to submit a stipulation continuing the date of the conference;

NOW THEREFORE, the parties hereby stipulate and agree, by and through counsel, to the entry of an order as follows:

1. The Case Management Conference, currently scheduled for June 22, 2011, is hereby rescheduled for June 24, 2011 at 10:30 a.m.

Dated: June 20, 2011

COOLEY LLP

Dated: June 20, 2011

MORRISON & FOERSTER LLP

/s/ Martin S. Schenker
Martin S. Schenker

Attorneys for Plaintiff
ONYX PHARMACEUTICALS, INC.

/s/ Alison M. Tucher
Alison M. Tucher

Attorneys for Defendants
BAYER CORPORATION; BAYER
HEALTHCARE LLC; BAYER AG; BAYER
SCHERING PHARMA AG

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: June 24, 2011

ORDERED.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HON. E. E. CHEN

IT IS SO ORDERED

Edward M. Chen

Judge Edward M. Chen

RECEIVED
CASE No.: CV 09 2145

1.

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Martin S. Schenker, attest that concurrence in the filing of this Joint Pretrial Conference Statement has been obtained from each of the other signatories. Executed this 20th day of June, 2011, at San Francisco, California.

/s/ Martin S. Schenker
Martin S. Schenker